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Messrs. Chairmen, Ranking Members and Members of the Subcommittees, I am pleased to appear before your Subcommittees today on behalf of Major League Baseball as you address the important issue of anabolic steroid use among our nation's young athletes. Like you, Major League Baseball is deeply concerned about the use of performance enhancing substances by athletes in general, and young athletes in particular. As you are well aware, the potential long-term health risks associated with steroid use are greatest for young users. We agree with you that the message must go out loud and clear to young people that anabolic steroids are extremely harmful to your health and will hurt, not help, your chances of becoming a Major League Baseball player. Major League Baseball understands that our players are role models for young athletes and what we do and say does matter. I am pleased to report to you that we are addressing this issue in three distinct ways.

First, Major League Baseball has made tremendous progress in dealing with the use of performance enhancing substances by its players by instituting a zero tolerance policy in the minor leagues and by negotiating a new and much stronger steroid policy at the Major League level with the Major League Baseball Players Association ("MLBPA"). The goal of each of these programs is zero tolerance for steroid use. Second, appreciating their position as role models, many of our biggest stars have spoken out about the dangers of steroid use, particularly for young people. Third, our office is

currently working closely with the Partnership for a Drug-Free America to educate America's youth on the dangers of steroid use. This morning, I will describe for you our efforts in each of these areas.

The most influential step that Major League Baseball can take to dissuade young people from using steroids is to demonstrate to them that steroid use is not tolerated in professional baseball and thus cannot be used as an effective stepping stone to the Major Leagues. We just completed an agreement with the MLBPA that should do just that. Indeed, the steroid policies that we have negotiated or instituted unilaterally now have no tolerance for steroid users and are effectively eliminating steroids from professional baseball.

In 2001, Commissioner Selig promulgated the first-ever comprehensive drug policy for minor league baseball. In the first year of testing under that policy, the positive rate in the minor leagues was approximately eleven percent. In each subsequent year, that positive rate has decreased dramatically. The rate was 4.8 percent in 2002, 4 percent in 2003 and just 1.7 percent in 2004. As we embark on the 2005 season, Baseball has committed even more resources to the eradication of steroid use in the minor leagues.

Similar progress has been made at the Major League level. In 2002, Major League Baseball reached a new agreement with the MLBPA which, for the first time, provided for the testing of Major League players for steroids. Under the agreement, an anonymous prevalence study was conducted in 2003. The positive rate for performance

enhancing substances in the 2003 testing was in the range of 5-7 percent. This disturbing rate triggered a more rigorous disciplinary testing program in 2004. This more effective program resulted in a decline of the positive rate to just 1-2 percent during the 2004 season. In other words, the 2002 agreement that had been roundly criticized in some circles actually resulted in a significant reduction in steroid use.

Despite this improvement, Major League Baseball has continued to move ahead on this challenging issue. Last December, at the urging of Commissioner Selig, the MLBPA took the unprecedented step of reopening an existing collective bargaining agreement to allow for the negotiation of an even stronger, new policy on performance enhancing substances. This new policy addresses all of the major areas of concern raised in Congressional hearings conducted in 2004.

First, the new policy broadens the list of banned substances in Baseball. The banned list now includes not only all steroids, but also steroid precursors, ephedra, human growth hormone and diuretics and other masking agents. Congress' passage of the Anabolic Steroid Control Act of 2004 was a key development in allowing Baseball to move closer to accepted international standards in this area.

Second, the new policy greatly increases the frequency of testing of Major League players. Under our prior policy, each player was subject to just one steroid test per season on an unannounced, randomly-selected date. This type of testing will continue in 2005. Under the old testing program, however, once the player had completed his one

test for the year, the threat of discipline for the use of steroids was gone until the next season. To address this shortcoming, Major League Baseball added an on-going program of random testing for 2005 and beyond, under which players can be tested multiple times in a given year. Under the new policy, no matter how many times a player is tested in a given year, he will remain subject to additional, random tests.

Third, the new policy, for the first time, introduces off-season or “out-of-competition” testing. In the traditional employment context, unions have resisted employer efforts to intrude into off-duty hours and vacation time. This traditional union resistance has carried over into the context of professional sports. To its credit, however, the MLBPA has agreed to compromise the privacy concerns of its members and allow off-season testing. This off-season testing, which will literally be carried out around the globe, will insure that misguided players cannot use the winter months to enhance their performance through illegal substances.

Baseball’s new policy also provides for increased penalties. There are no free passes under the new policy. First-time offenders will be suspended, without pay, for ten days and will be publicly identified as having violated the drug policy. A ten-day suspension will cost the average Major League player approximately \$140,000 in lost salary. More important in terms of deterrence, however, is the fact that no player wants to be identified to his peers and the public as a cheater. Penalties for subsequent offenses increase to 30 days, 60 days and one year.

Major League Baseball has always recognized the influence that our great players can and do have on the youth of America. Our players recognize this as well. As such, both owners and players have been deeply concerned that recent revelations and allegations of steroid use have sent a terrible message to young people. With our encouragement, some of our great players have begun to speak out forcefully on this topic, often times aiming their strong anti-drug message directly to young players aspiring to become Major Leaguers. For instance, Reds' first-baseman Sean Casey recently applauded the new Major League policy and noted that "it sends a strong message that you don't need to take steroids to be a Major League player." Likewise, Mets' catcher Mike Piazza was recently quoted as saying that the stronger policy was important to him because it "put this issue to the forefront and [made] a statement to all kids who look up to baseball that this is something we don't endorse." Finally, Red Sox' centerfielder Johnny Damon said that the tough new steroid program was "great for baseball," because performance enhancing substances "need[] to be out of this game" and "kept away from kids."

On a more formal basis, our office has been working with our friends at the Partnership for a Drug-Free America over the past year to determine the appropriate timing and content of public service announcements that will discourage young people from using steroids. In the coming months, you will see the product of these efforts on television and through other educational material and we can only hope that these announcements will contribute to better decision-making by young athletes.

We believe that, with the steps that I have outlined here today, Major League Baseball is sending a very strong message to young people that performance enhancing substances have no place in professional or amateur athletics and will not be tolerated in Major League Baseball, by those playing the game today or by those who aspire to play it one day.

I want to thank the Subcommittees for the opportunity to appear before you today.